MEETINGS TO DATE 11 NO. OF REGULARS 10 NO. OF SPECIALS 1

LANCASTER, NEW YORK MAY 17, 1982

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 17th day of May, 1982, at 8:00 P.M. and there were:

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR

RONALD A. CZAPLA, COUNCILMAN

ROBERT H. GIZA, COUNCILMAN

LEONARD E. GRZYBOWSKI, COUNCILMAN

DONALD E. KWAK, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

DOMINIC J. TERRANOVA, TOWN ATTORNEY

RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY

ROBERT LABENSKI, TOWN ENGINEER

VIRGIL J. PAUL, HIGHWAY SUPERINTENDENT

THOMAS E. FOWLER, CHIEF OF POLICE

ROBERT L. LANEY, BUILDING INSPECTOR

PUBLIC HEARINGS:

NONE

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster, sporting and athletic equipment for the Recreation Department of the Town of Lancaster.

BID OPENING SCHEDULED FOR 8:00 P.M. CONT'D.:

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:00 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

BIDDERS

- 1. Ruby's Sporting Goods Store, Inc. 853-857 Clinton Ave. S Rochester, New York 14620
- Jim Ludtka Sporting Goods, Inc. 3383 Harlem Road Cheektowaga, New York 14225
- 3. Buffalo Wholesale 146 Broadway Buffalo, New York 14203
- 4. Laux Sporting Goods Inc.25 Pineview DriveN. Tonawanda, New York 14120

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Recreation Director for examination, tabulation, and award.

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

Councilman Czapla, for the Insurance Committee, reported that he will present a suspended resolution this evening memorializing the Governor, the State Comptroller, Senator Volker, and Assemblyman Graber, of the opposition of the Lancaster Town Board to the proposed transfer of \$190 million of State Insurance Fund surpluses to the State Treasury.

COMMITTEE REPORTS CONT'D.:

Councilman Czapla, for the Cable TV Committee, reported that he has requested a status report from Global Cable TV relative to the installation of cable television within the Township, outside of the Villages.

Councilman Grzybowski, for the Solid Waste Committee, reported that the Town Clerk is awaiting a proposed contract for membership in the Northeast Solid Waste Management Committee and when such is received by the Town Clerk, it will be reviewed by the Town Board and appropriate action will be taken at that time relative to joining this organization.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board held on May 3, 1982, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	CZAPLA	VOTED	YES
COUNCILMAN	GIZA .	VOTED	YES
COUNCILMAN	GRZYBOWSKI	VOTED	YES
COUNCILMAN	KWAK	VOTED	YES
SUPERVISOR	KEYSA	VOTED	YES

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The resolution was thereupon unanimously adopted.

May 17, 1982

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA . WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRZYBOWSKI . TO WIT:

WHEREAS, the Chairman of the Buildings Committee of the Town Board of the Town of Lancaster has recommended the roofing reconstruction work on town-owned buildings as follows: A.) Recreation Building, Police and Court Building, 525 Pavement Road and B.) the Old Highway Garage, 3789 Walden Avenue, Lancaster, New York, and

WHEREAS, specifications therefor have been filed with the Town Clerk;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

- 1. That Bids will be received by the Supervisor of the Town of Lancaster on the 3rd day of June, 1982, at 2:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of roofing reconstruction work on town-owned buildings, as follows: A.) Recreation Building, Police and Court Building, 525 Pavement Road, and B.) the Old Highway Garage, 3789 Walden Avenue, Lancaster, New York, in accordance with specifications on file in the Town Clerk's Office.
- 2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Enterprise and post notices thereof as required by the Town Law of the State of New York, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	CZAPLA	VOTED	YES
COUNCILMAN	GIZA	VOTED	YES
COUNCILMAN	GRZYBOWSKI	VOTED	YES
COUNCILMAN	KWAK	VOTED	YES
SUPERVISOR	KEYSA	VOTED	YES

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LEGAL NOTICE NOTICE TO BIDDERS TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that sealed bids for the Roofing Reconstruction work for the:

- A. Recreation Building, Police and Court Building 525 Pavement Road, Town of Lancaster, New York.
- 8. Old Highway Garage 3789 Walden Avenue, Town of Lancaster, New York

will be received by the Supervisor of the Town of Lancaster at the Town Hall, 21 Central Avenue, lancaster, New York 14086, until 2:00 P.M., Current Time, on the 3rd day of June, 1982, at which time they will be publicly opened and read aloud.

Instructions to bidders, bid form, general conditions, supplementary general conditions, working drawings, specifications, forms of performance and other surety bonds may be examined at the office:

HABITERRA ASSOCIATES P.O.Box 609, Orchard Road, W.E. Jamestown, New York 14701

F.W.DODGE REPORT 5500 Main Street Williamsville, New York 14221

Copies of the above documents may be obtained upon depositing twenty-five dollars (\$25.00) for each set of drawings and specifications. Deposit is refundable, in full, to any bidder furnishing required security who returns the copies, in good condition, within ten (10) days following submission of bids.

The Town of Lancaster reserves the right to waive any informalities in and to reject any or all bids submitted.

A bid bond in the amount of ten percent (10%) of base bid is required and must accompany bid. Performance bond and labor and material payment bond equal to one hundred percent (100%) of contract sum are required to be delivered at the time the contract is signed with the owner.

Attention of the bidders is called to requirements for conditions of employment to be observed and minimum wage rates to be paid, and requirements pertaining to certification of non-collusion in preparation of bids submitted for this project.

No Bidder may withdraw his bid within forty-five (45) days after date of opening.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

May 17, 1982

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

WHEREAS, MICHAEL PASSUCCI, 4499 Clinton Street, West Seneca, New York 14224, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property on the east side of Cemetery Road, north of the intersection of Cemetery Road and Nichter Road, from an SA-Suburban Agricultural District to an MI-Light Industrial District, and

WHEREAS, this petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of June, 1982, at 8:00 o'clock P.M., Local Time, and that notice of the time and place of such hearing be published in the Lancaster Enterprise & Journal, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, at least ten days prior to the date of such Public Hearing, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	CZAPLA	VOTED	YES
COUNCILMAN	GIZA	VOTED	YES
COUNCILMAN	GRZYBOWSKI	VOTED	YES
COUNCILMAN	KWAK	VOTED	YES
SUPERVISOR	KEYSA	VOTED	YES

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 17th day of May, 1982, the said Town Board will hold a Public Hearing on the 7th day of June, 1982, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an SA-Suburban Agricultural District to an M1-Light Industrial District:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 12, Section 4, Township 11, Range 6 of the Holland Land Company's Survey described as follows:

BEGINNING at a point at the center line of Cemetary Road Sixty-six (66) feet wide at the southwest corner of the lands conveyed to Kintex Inc., said point being four hundred seventy and sixty seven hundredths (470.67) feet south of the northwest corner of said Lot No. 12, Section 4; Township 11, Range 6, running thence southerly along the center line of Cemetary Road Two Hundred (200) feet to a point; thence parallel with the south line of lands so conveyed to Kintex Inc. thence seven hundred ninety-six and fifty-eight hundredths (796.58) feet to the west line of lands conveyed to James T. Callahan and Paola J. his wife, thence northerly along the west line of lands so conveyed to Callahan, two hundred (200) feet to the south line of lands conveyed to Kintex Inc., seven hundred ninety-six and fifty-eight hundredths (796.58) feet to the center line of Cemetary Road at the point of Beginning.

FOR PURPOSES OF FURTHER DESCRIPTION, the southern property line of said parcel of land is at a point on the east side of Cemetary Road seven hundred twenty and ninety-four hundredths (720.94) feet north from the center line of Nichter Road.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

Dated: May 17, 1982

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA . WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA . FO WIT:

WHEREAS, the members of the Town of Lancaster Volunteer Ambulance Corps provide residents of the Town of Lancaster with dedicated volunteer service, and

WHEREAS, the Town Board of the Town of Lancaster can elect to bring a specific volunteer or a specific position in a volunteer program under the benefits of the New York State Workers Compensation coverage, and

WHEREAS, the Town Board is desirous of ensuring that members of the Town of Lancaster Volunteer Ambulance Corps are provided benefit coverage under the New York State Workers Compensation Law,

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. That the Town Board of the Town of Lancaster hereby provides that all volunteer members of the Town of Lancaster Volunteer Ambulance Corps, now and from time to time as the roster of volunteers changes, shall be considered employees of the Town of Lancaster for purposes of benefit coverage under the Workers Compensation Law of the State of New York.
- 2. That the Town Clerk of the Town of Lancaster is hereby directed to forward a certified copy of this resolution to Lovell Safety Management Company, Inc., and direct Lovell to request that the State Insurance Fund endorse the Town of Lancaster Volunteer Ambulance Corps members on our Workers Compensation Insurance Contract.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	CZAPLA	VOTED	YES
COUNCILMAN	GIZA	VOTED	YES
COUNCILMAN	GRZYBOWSKI	VOTED	YES
COUNCILMAN	KWAK	VOTED	YES
SUPERVISOR	KEYSA	VOTED	YES

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

RESOLVED, that the following individuals be and hereby are appointed members of the Town of Lancaster Youth Bureau for the period June 1, 1982 to May 31, 1984:

Anthony D'Amore
Neal Bradigan
Michele Ferrand
Rose Gatti
Kenneth Hamilton
James Jarnot
Mary Long
Irene Piusienski
Claire Schlum
Karen Tanner
Rev · John Whiteford

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

COUNCILMAN KWAK VOTED YES

SUPERVISOR KEYSA VOTED YES

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated May 10, 1982, has requested confirmation of one (1) active member, one (1) limited active member, and one (1) probationary active member, duly elected to the Membership of the Bowmansville Volunteer Fire Association, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the following individuals in the Bowmansville Volunteer Fire Association, Inc.:

(Limited Richard Dueringer Active) 563 Harris Hill Road Lancaster, New York

James Warrington (Probationary Active) 65 Meadow Lea Lancaster, New York

Kevin Cullinan (Limited Active) 203 Seneca Place Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

COUNCILMAN KWAK VOTED YES

SUPERVISOR KEYSA VOTED YES

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY THE ENTIRE TOWN BOARD , TO WIT:

WHEREAS, by letter dated March 16, 1982, Edward J. Mikula has tendered his resignation as Lancaster Town Historian, and

WHEREAS, Edward J. Mikula has served in said capacity for a long number of years and has been a beneficial influence in the day to day operations of the Town Historian's Office of the Town of Lancaster, and

WHEREAS, his enthusiastic interest in maintaining historic records, on behalf of the people of the Town of Lancaster, has been of great benefit to this community,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster extends the sincere thanks of the Town Board and all of the people of the Town of Lancaster to Edward J. Mikula upon his resignation as Lancaster Town Historian and the Town Board hereby extends its best wishes to Mr. Mikula for good fortune in all his future endeavors.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

COUNCILMAN KWAK VOTED YES

SUPERVISOR KEYSA VOTED YES

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRZYBOWSKI , TO WIT:

WHEREAS, space in the Central Avenue Elementary School is required by the Town of Lancaster for its Senior Citizens' Meals Program and other activities of the Recreation Department on behalf of senior citizens, and

WHEREAS, the Town Attorney and Lancaster Central School District have negotiated a Lease Agreement for the use of the cafeteria and Room 106 for the period June 1, 1982 through June 30, 1983 at a rental of \$517.00 for the month of June, 1982 and \$6,392.00 for the period July 1, 1982 through June 30, 1983, payable in accordance with the schedule set forth in the proposed Lease Agreement filed with the Town Clerk;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Lease Agreement with the Lancaster Central School District for use of a portion of the Central Avenue Elementary School in accordance with terms and conditions approved by the Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

COUNCILMAN KWAK VOTED YES

SUPERVISOR KEYSA VOTED YES

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRZYBOWSKI, TO WIT:

WHEREAS, the Town of Lancaster may adopt legislation under the general police power of a municipality to protect the safety, health, morals and general welfare of its residents, and

WHEREAS, the Town Board of the Town of Lancaster believes it to be in the interest of the general welfare of the residents of the Town of Lancaster to provide for the orderly operation of facilities which are characterized as "game rooms" or "amusement arcades", by licensing these facilities, and

WHEREAS, the Town Board of the Town of Lancaster further deems it in the public interest to adopt and enact the proposed Local Law No. 2 of the Year 1982, to be known as "Entertainment - Game Rooms-Licensing", which reads as follows:

ENTERTAINMENT: GAME ROOMS - LICENSING

CHAPTER 17

ENTERTAINMENT: GAME ROOM - LICENSING

PROPOSED

LOCAL LAW NO. 2 1982

A LOCAL LAW TO PROVIDE FOR THE LICENSING AND OPERATION OF GAME ROOMS OR AMUSEMENT ARCADES.

17.1 Legislative Intent

17.2 Definitions

17.3 License Required; Fees

17.4 Application for License; Persons Restricted

17.5 Locations

17.6 Review or Approval of Application

17.7 Operation of Game Rooms

17.8 Inspection of Premises

17.9 Expiration of Licenses; Renewals

17.10 Revocation of License

17.11 Penalties

17.12 Severability

17.13 Effective Date

BE IT ENACTED by the Town Board of the Town of Lancaster, as follows:

17.1 Legislative Intent.

This Local Law is adopted to provide for the orderly operation of facilities licensed hereunder and to protect and preserve the general health, safety, welfare and morals of the public.

17.2 Definitions.

AMUSEMENT ARCADE or GAME ROOM - A building or part thereof which contains four (4) or more amusement games.

AMUSEMENT GAME - Any mechanical, electrical or electronic device or game, including video games, used for or designed to be used for entertainment or as a game by the insertion of money, token, slug or other article or by paying money to have such device or game activated; but not including jukebox, bowling alleys,

rides, devices maintained within residences for use by occupants and their guests, or any device which is illegal to possess.

<u>OWNER</u> - A record owner, contract purchaser, lessee, assignee, bailee, receiver or trustee.

<u>PERSON</u> - One (1) or more individuals, a partnership, corporation, association, trust or firm and any trustee, assignee or receiver.

TOWN - The Town of Lancaster, excluding the Village of Depew and the Village of Lancaster.

<u>PREMISES</u> - Any public or quasi-public building or part thereof where the public may enter.

17.3 License Required; Fees.

A. License.

- No person shall maintain or operate a game room in the Town of Lancaster unless it has first been licensed under this Local Law.
- 2. A license shall be effective for a one-year period from date of issuance and thereafter be renewable upon review by the Town Board of the Town of Lancaster.

B. Fees.

- 1. An application for a license shall be accompanied by a non-refundable fee of one hundred dollars (\$100.00).
- 2. The annual fee for a game room license shall be Five Hundred Dollars (\$500.00) plus Sixty Dollars (\$60.00) for each machine over four (4).
- 3. The fees fixed herein may be modified from time to time by resolution of the Town Board.

17.4 Application for License; Persons Restricted.

- A. An application for a license shall be made to the Town Clerk of the Town of Lancaster on forms provided by him and shall include the following information:
 - Name and address of applicant; date of birth of applicant. If a corporation, the names and date of birth of corporate officers, directors or holders of 10% or more of stock;
 - 2. Name and address of property owner; date of birth of property owner;
 - Name of operator, if different than above; date of birth of operator;
 - 4. The number and type of devices proposed for the
 - A description of the size and location of the premises.

- 6. Except as provided in New York Correction Law, Article 23-A, no game room license shall be issued to or held by any person who has been convicted of a crime or by any corporation, partnership or association, a member, officer, director or holder of ten per cent (10%) or more of the stock of which has been convicted of any crime.
- B. All parties named in the application will be required to sign a notarized authorization to permit the Town of Lancaster Police Department to obtain any criminal record data at any police jurisdiction.
- C. Upon receipt of application for a license, the Town Clerk shall refer same to:
 - Building Inspector To determine whether the premises comply with all applicable laws, ordinances, rules and regulations. For that purpose, the Building Inspector, or his designee, shall have the right to enter upon and inspect the premises during normal town business hours.
 - 2. Chief of Police To cause an investigation to be made of the background of the owner and operator of the game room.
- 17.5 Amusement Arcade and Game Room Locations.
 - A. Premises may be licensed on the following highways in non-residential zones:
 - 1. Transit Road
 - 2. Broadway
 - 3. Genesee Street
 - B. No amusement arcade or game room shall be located within 1,000 feet of any public or private school.
 - C. Game rooms are not permitted within rooms or space licensed for on-premises consumption of alcoholic beverages or within connected rooms or appurtenant space where the game room is the principal business enterprise.
- 17.6 Review and Approval of Application.
 - A. After the Town Clerk receives the report of the Building Inspector and Police Chief, he shall forward the application with said reports to the Town Board for its review and approval.
 - B. In approving a license, the Town Board may establish conditions to promote and protect the general health, welfare, safety and morals of the Town and its residents.

- 6. After approval by the Town Board, the Town Clerk shall issue a game room license upon payment of the license fee established in §3 (B)(2). The license shall state:
 - The number of amusement games permitted in the game rooms.
 - The maximum number of people permitted in the gameroom at any one time as determined by the municipal fire code regulating assembly in public places.
 - 3. Any other conditions or restrictions.

17.7 Operation of Game Rooms.

- A. The owner and/or operator of any game room are charged with the duty and responsibility of complying with all provisions of law, ordinance, rule or regulation relating to the conduct of business and the use and maintenance of the premises.
- B. The owner and/or operator of any game room shall cause the game room license to be posted at all times in a conspicuous place within the premises.
- C. The owner and/or operator shall not permit a greater number of persons on the premises at any time than the number stated in the approved license.
- D. The owner and/or operator of any game room shall maintain good order on the premises at all times. The lack of good order shall include but shall not be limited to the following:
 - 1. fighting and rowdy behaviour;
 - possession or consumption of alcoholic beverages on the premises, unless the permises is licensed for on-premises consumption;
 - 3. gambling;
 - permitting the sale or use of marijuana or any controlled substance possession and/or sale of which is prohibited by the Penal Law of the State of New York.
- E. No person under the age of 13 shall be permitted in any game room at any time unless accompanied by a parent, legal guardian or other person over 21 years of age.
- F. No person 16 years of age or under may be permitted in a game room during regularly scheduled school hours.
- G. No person under 16 years of age may be permitted in a game room after 10:00 P.M., unless accompanied by and under the supervision of a parent, legal guardian or other person over 21 years of age.

- H. The owner and/or operator of a game room shall not allow it to be open or used unless it is under the control and supervision of a person at least eighteen (18) years of age, who shall ensure that it is operated in compliance with this law.
- The owner and/or operator of a game room containing more than twenty-five (25) amusement games shall provide at least two (2) supervisory personnel, at least eighteen (18) years of age to ensure orderly operation of the game rooms.
- J. The owner and/or operator of a game room shall not allow more amusement games than the number permitted in the license to be located therein at any time.
- K. Any game room must provide on premises for separate rest room facilities for men and women.
- L. The owner and/or operator of a game room shall not permit it to be open between the hours of 12:00 A.M. and 8:00 A.M.

17.8 Inspection of Premises.

- A. The premises of all game rooms, and any other premises in the Town containing amusement games, when open for the transaction of business, shall be subject to inspection by any police officer or the Building Inspector or his designee or the Fire Inspector from the local fire protection company.
- 17.9 Expiration of Licenses; Renewals.
 - A. Game room licenses shall expire one (1) year from the date of issuance.
 - B. Applications for renewal of licenses shall be submitted at least thirty (30) days before the expiration of the existing license to the Town Clerk, who shall forward same to the Building Inspector and Chief of Police for review and comment and upon reciept of same the Town Clerk shall forward the renewal application and report of Police Chief and Building Inspector to the Town Board for review.

17.10 Revocation of License.

The Town Board may revoke a game room license for cause after a public hearing. That cause may include, but is not limited to, violations of the Local Law herein.

- 17.11 Penalties for Offenses.
 - A. Any person who violates any provision of this Article shall be guilty of an offense punishable by a fine of not exceeding Two Hundred Fifty Dollars (\$250.00) or imprisonment of fifteen (15) days or both.
 - B. Each day that a violation exists, occurs or continues shall constitute a separate offense.
- 17.12 Severability.

Should any section or provision of this Law be decided by any Court to be unconstitutional or invalid, such decision shall not affect the validity of the Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

17.13 Effective Date.

This Local Law shall take effect after filing and publication as required by law.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a public hearing on the proposed Local Law No. 2 of the Year 1982, also known as Chapter 17, of the Code of the Town of Lancaster, entitled "Entertainment - Game Rooms-Licensing", will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:15 o'clock P.M., Local Time, on the 7th day of June, 1982, and that Notice of the time and place of such hearing be published on May 20, 1982, in the Lancaster Enterprise & Journal, being a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

BE IT FURTHER

RESOLVED, that the Town Clerk is directed to make copies of the proposed Local Law No. 2 of the Year 1982, for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	CZAPLA	VOTED	YES
COUNCILMAN	GIZA	VOTED	YES
COUNCILMAN	GRZYBOWSKI	VOTED	YES
COUNCILMAN	KWAK	VOTED	YES
SUPERVISOR	KEYSA	VOTED	YES

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LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 17th day of May, 1982, the Town Board will hold a Public Hearing on the 7th day of June, 1982, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York to hear all interested persons upon the proposed enactment of Local Law No. 2 of the Town of Lancaster, also known as Chapter 17 of the Code of the Town of Lancaster, entitled "Entertainment - Game Rooms-Licensing", briefly described as follows:

"A Local Law providing for the licensing and operation of game rooms or amusement arcades within the Town of Lancaster, where four (4) or more amusement games, as defined in the Local Law , are located within a building or part thereof."

A complete copy of the proposed Local Law No. 2 of the Year 1982 entitled, "Entertainment - Game Rooms-Licensing", is available at the office of the Town Clerk for inspection by and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE TOWN OF LANCASTER

BY:

ROBERT P. THILL Town Clerk

May 17, 1982

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

RESOLVED, that purusant to Section 4-104 of the Election Law of the State of New York, this Town Board hereby designates the following Polling Places in Each Election District of the Town of Lancaster at which meetings for the Registration of votes and conduction of Elections and Primaries shall be held during the year following the ensuing 1st day of July 1982.

ELECTION DIST.

POLLING PLACE

1	Town Hall, 21 Central Ave., Lancaster, N.Y. (Consolidated Registration Place)
2	Court Street School, 109 Court St., Lancaster, N.Y.
3	Court Street School, 109 Court St., Lancaster, N.Y.
4	Como Park School, 1985 Como Park Blvd., Lancaster, N.Y.
5	Como Park School, 1985 Como Park Blvd., Lancaster, N.Y.
6	Aurora Middle School, 148 Aurora St., Lancaster, N.Y.
7	Lancaster Municipal Bldg., Broadway, Lancaster, N.Y.
8	St. Mary's High School, Laverack Ave., Lancaster, N.Y.
9	Fire Hall, 16 W. Drullard Ave., Lancaster, N.Y.
10	Central Avenue School, 149 Central Ave., Lancaster, N.Y.
11	Fire Hall, Meridian St., Depew, N.Y.
12	Fire Hall, Meridian St., Depew, N.Y.
13	Depew Municipal Bldg., Gould and Manitou, Depew, N.Y.
14	North Side Fire Hall, Brewster St., Depew, N.Y.
15	SS. Peter & Paul School, Burlington Ave., Depew, N.Y.
16	Bowmansville School, Genesee St., & Martha Rd., Bowmansville, N.Y.
17	Lancaster Town Center, 525 Pavement Rd., Lancaster, N.Y.
18	Town Line Fire Hall, 6503 Broadway, Town Line, N.Y.
19	Bowen Rd., Historical Site, Bowen and William, Lancaster, N.Y.
20	Twin District Fire Hall, 4989 William St., Lancaster, N.Y.
21	North Side Fire Hall, Brewster St., Depew, N.Y.
22	Lancaster Senior H.S., 1 Forton Dr., Lancaster, N.Y.
23	Aurora Middle School, 148 Aurora St., Lancaster, N.Y.
24	Village Dept. of Public Works, 5200 Broadway, Lancaster, N.Y.
25	Fire Hall, 16 W. Drullard Ave., Lancaster, N.Y.
26	SS. Peter & Paul School, Burlington Ave., Depew, N.Y.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN GRZYBOWSKI VOTED YES
COUNCILMAN KWAK VOTED YES
SUPERVISOR KEYSA VOTED YES

* KWB

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, the Millgrove Volunteer Fire Department, Inc., by letter dated May 10, 1982, has requested confirmation of three (3) new members duly elelcted to the Membership of the Millgrove Volunteer Fire Department, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the membership of the following individuals in the Millgrove Volunteer Fire Department, Inc.:

James Schiersing 11374 Genesee St. Alden, New York 14004 Gene Norton 11902 Buckwheat Alden, New York 14004

Keith Borden Box 28 Crittenden, New York 14038

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN GRZYBOWSKI VOTED YES
COUNCILMAN KWAK VOTED YES
SUPERVISOR KEYSA VOTED YES

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GRZYBOWSKI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

ACCOUNT	ORDER NUMBER	TOTAL AMOUNT
General Fund	No. 1862 to 1921 Incl.	\$140,366.82
Part Town Fund	No. 835 to 835 Incl.	\$ 4,400.00
Highway Fund	No. 1031 to 1061 Incl.	\$ 19,509.35
Special District Fund	No. 577 to 579 Incl.	\$ 12,206.04
Trust & Agency Fund	No. 568 to 572 Incl.	\$ 2,793.96
Federal Revenue Sharing Fund	No. 348 to 356 Incl.	\$ 3,750.87
Capital Fund	No. 600 to 606 Incl.	\$ 73,000.34
Community Development Fund	No. 1073 to 1074 Incl.	\$ 116.91
Community Development Fund (Rehab. Escrow Acct.)	No. 123 to 123 Incl.	\$ 600.00
and,		

BE IT FURTHER

RESOLVED, that the claim of M. Kotansky for \$94.50, dated May 5, 1982, and the claim of B. Snios Hardware Co. for \$22.41, dated May 1, 1982, be and is hereby approved and the Supervisor is hereby ordered to submit these claims to the Community Development Project No. 435313 for reimbursement, and

BE IT FURTHER

RESOLVED, that the claim of applicant and Kandefer Plumbing and Heating for \$600.00, dated May 13, 1982, Grant No. 534, Town of Lancaster, has been approved by the Community Development Program, and the Supervisor be and is hereby ordered to submit this claim for payment from Community Development Escrow Account.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN	CZAPLA	VOTED	YES	COUNCILMAN	KWAK	VOTED	YES
COUNCILMAN	GIZA	VOTED	YES	SUPERVISOR	KEYSA	VOTED	YES
COUNCILMAN	GRZYROWSKI	VOTED	YES				

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

RESULVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

NO.	NAME	ADDRESS	STRUCTURE
61	Norman Badding	715 Ransom Rd.	EXT. SIN. DLWG, PORCH
62	Schwan's Sales Enter.	4465 Walden Ave.	EXT. FR. OFFICE BLDG.
63	Otto Wieand	14 Stutzman Rd.	ER. FR. TOOL SHED
64	Gary Chaples	28 Deerpath Dr.	ER. INGROUND POOL
65	Piotrowski Builders	555 Aurora St.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
66	Charles Kolb	5929 Broadway	DEM. FR. BARN
67	Jack Burckhart	3841 Walden Ave.	ER. POOL
68	Homes by Helenbrook	35 Rollingwood Dr.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN	CZAPLA	VOTED YES
COUNCILMAN	GIZA	VOTED YES
COUNCILMAN	GRZYBOWSKI	VOTED YES
COUNCILMAN	KWAK	VOTED YES
SUPERVISOR	KEYSA	VOTED YES

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Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MCVED ITS ADOPTION, SECONDED BY COUNCILMAN GRZYBOWSKI , TO WIT:

WHEREAS, the Governor of the State of New York, has signed a bill which requires the State Insurance Fund to transfer \$190 million by March 1, 1983, from its Surplus of \$245 million to the State Treasury, and

WHEREAS, said bill requires the State of New York to tender to the State Insurance Fund, in return for the taking of the Fund's assets, a non-interest bearing "appropriation", and

WHEREAS, the State Insurance Fund surplus funds belong to the policyholders of the State Fund, of which the Town of Lancaster is a member, and not to the State of New York, and

WHEREAS, the forced transfer of \$190 million deprives policyholders of the benefits of the substantial income which would have been earned from investment of these moneys,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster vehemently opposes the transfer of \$190 million of the surplus funds of the State Insurance Fund to the State Treasury, and

BE IT FURTHER

RESOLVED, that the Town Board urges the Governor, the State Comptroller, Senator Volker, and Assemblyman Graber to look for alternate sources of balancing the New York State Budget instead of attempting to use a temporary, expedient solution which will ultimately damage the State Insurance Fund and its policyholders.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

COUNCILMAN KWAK VOTED YES

SUPERVISOR KEYSA VOTED YES

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The resolution was thereupon unanimously adopted.

May 17, 1982

STATUS REPORT ON UNFINISHED BUSINESS:

- 1. Dumping Permit Application Philip Antonicelli
 On March 10, 1982, the Planning Board recommended denial of this application. On May 17, 1982, this application was returned to the Planning Board for further review and recommendation.
- 2. Dumping Permit Application Walt's Tree Service
 On April 16, 1981, the Planning Board recommended denial of this application. On April 20, 1981, the Town Board returned this application to the Planning Board for further review and recommendation.
- 3. Public Improvement Permit Authorization ~ Countryside Subdivision,
 Phase 1 (Josela)
 The Town Board on October 1, 1979, authorized issuance of P.I.P. No. 75 (street lighting) and P.I.P. No. 76 (sidewalks) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
- 4. Public Improvement Permit Authorization Country View East Subdivision,
 Phase 1 (Marrano)
 On January 21, 1980, the Town Board authorized issuance of P.I.P. No. 77
 (sidewalks) and No. 78 (street lighting) which have not yet been accepted by the Town Board. The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1982.
- 5. Public Improvement Permit Authorization Heritage Hills Subdivision,
 Phase 1
 The Town Board authorized issuance of P.I.P. No. 69 (street lighting) and P.I.P. No. 70 (sidewalks) which have not yet been accepted by the Town Board. The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
- 6. Public Improvement Permit Authorization Woodview Estates Subdivision
 The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and
 No. 58 (street lighting) which have not yet been accepted by the Town
 Board. There is no retention pond associated with this subdivision.
- 7. Rezone Petition Michael Passucci
 On May 17, 1982, a Public Hearing was set on this matter for June 7, 1982.
- 8. Street Lighting New Subdivisions
 On March 16, 1982, the Town Clerk wrote to the developers of Heritage Hills Subdivision, Country View East Subdivision, and Countryside Subdivision directing them to prepare their street light improvements for final inspection and acceptance by the Town Board.
- 9. Subdivision Approval Lancaster Industrial Commerce Center
 On May 12, 1981, the N.Y.S. Dept. of Audit and Control acknowledged receipt of Water, Sanitary Sewer, and Drainage District applications.
- 10. Subdivision Approval Plumb Bottom Estates
 On June 1, 1981, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
- 11. Traffic Study Genesee Street and Ransom Road
 On July 13, 1981, the N.Y.S. Dept. of Transportation notified the Town
 Board that they will conduct this study as their caseload permits.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

- 12. Traffic Study Green Arrows at Central and Walden Avenues
 On March 20, 1981, the N.Y.S. Department of Transportation notified the
 Town Board that green arrows will be installed at this intersection.
- 13. Traffic Study Speed Reduction on William Street
 On October 17, 1980, the N.Y.S. Department of Transportation recommended
 a 45 mph speed zone on William Street from Transit Road east to Bowen Road.

The Town Clerk was directed to add the following item to future agendas:

"Special Use Permit - Edward Andrzejewski"

PERSONS DESIRING TO ADDRESS TOWN BOARD

None

COMMUNICATIONS:

DISPOSTION

314.	Gordon C. Baker to Town Clerk - Transmittal of letter to Leg. Paxon requesting County referendum on gas drilling.	RεF
315.	Town Clerk to Supervisor - Monthly report for April 1982.	R&F
316.	The Marrano Corp. to Town Clerk - Transmittal of ECWA invoice with statement of no obligation.	TOWN ATTORNEY
317.	Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 5/3/82.	R & F
318.	D.C.O. to Town Board - Monthly report for April 1982.	R & F
319.	Town of Hamburg to Supervisor - Resolution recommending method for distributing sales tax interest earnings to conform with General Accepted Accounting Procedures and County financial practices.	R & F
320.	County Dept. of Environment and Planning to Northeastern Communities Solid Waste Management Board - Minutes from meeting held 4/29/82.	R & F
321.	Supervisor to Figgie International - Comments regarding proposed changes in alignment of various plants in the Scott Aviation Division.	R & F
322.	Erie County Preservation Advisory Board to Supervisor - Invitation to ceremony commemorating Erie County Historic Preservation Week on 5/ 19/82 at Buffalo.	R & F
323.	County Dept. of Environment and Planning to Residents - Notice of information meeting to be held 5/19/82 at Town Hall regarding construction of sewers on Aurora, Lake and Siebert.	R & F
324.	Supervisor to County Dept. of Environment and Planning - Request compliance with Local Law dealing with gas well drilling.	R & F BLDG. INSPECTOR
325.	Supervisor to County Dept. of Senior Services - Request County's intent to proceed with the Demonstration Clusters Program for Elderly.	R & F
326.	County Dept. of Environment and Planning to Supervisor - Response to concerns regarding County's proposed gas drilling program.	R & F BLDG. INSPECTOR
327.	Merriman Conservation Consultants Inc. to Supervisor - Prospectus.	RεF
328.	Lovell Safety Management Co. to Supervisor - Request support of opposition to proposed State taking \$190 million from State Losurance Fund surplus	TOWN ATTORNEY TOWN CLERK FOR SUSPENDED RESOLUTION

COMMUNICATIONS CONT'D.:

329.	U.S. Postal Service to Supervisor - Explanation of criteria involved regarding mail delivery to Countryside Subdivision.	SUPERVISOR
330.	West Seneca Developmental Disabilities Service Office to Supervisor - Notice of decision not to utilize site at 311 Stony Rd. for State Operated Intermediate Care Facility.	R & F
331.	Upstate Municipal Risk Association, Inc. to Supervisor - Notice of 2nd Annual Meeting to be held 6/2/82 at Buffalo.	SUPERVISOR
332.	Buffalo Sesquicentennial Committee to Town Clerk - Invitation to Grand Ball to be held on 5/22/82 at Buffalo.	R & F
333.	Receiver of Taxes to Town Board - Report of 1982 Town and County taxes collected as of 4/30/82.	R & F
334.	William J. Hirsch, P.C. to Town Clerk - Petition requesting consent to operate bus route.	TOWN ATTORNEY TOWN CLERK
335.	Town Clerk to Planning Board Chairman - Transmittal of Special Use Permit petition of Edward C. Andrzejewski.	R & F
336.	Millgrove Vol. Fire Co., Inc. to Town Clerk - Recommendation of three new members to active roster.	R & F
337.	Justice Court to Supervisor - Suggest arrangements be made for resident jurors.	SUPERVISOR
338.	Highway Supt. to Town Board - Request authorization to attend annual N.Y.S. Assn. of Superintendents of Highways School at Ithaca from 6/7-9/82.	TOWN CLERK FOR SUSPENDED RESOLUTION
339.	County Dept. of Environment and Planning to Supervisor - Notice of transmittal of information relating to adequate safety precautions in gas well activities to County Attorney and County Energy Director.	R & F
340.	Youth Bureau to Supervisor - Request removal of salt behind Mental Health Clinic.	SUPERVISOR HWY. SUPT.
341.	Assessor to Town Board - Request permission for Thomas E. Kunz to attend Institute of Assessing Officers at Ithaca from 8/1-9/82.	TOWN CLERK FOR SUSPENDED RESOLUTION
342.	William L. Holcomb Associates Inc. to Supervisor - Transmittal of proposal for consulting services for the period 7/82 - 6/84.	ATTY. FOR RESOLUTION 5/7/82
343.	The New York Board of Fire Underwriters to Supervisor - Explanation of functions of agency.	BLDG. SUPT.

COMMUNICATIONS CONT'D.:

DISPOSITION

344.	Depew-Lancaster Boys' Club, Inc. to Town Board - Request permission to use certain streets in connection with Fifth Annual Firecracker 10K Race.	CHIEF OF POLICE
345.	County Dept. of Environment and Planning to Supervisor - Notice of meeting on 5/18/82 at ECC South regarding 1982 CD Program.	SUPERVISOR
346.	Association of Towns to Supervisor - Status of major state aid programs with request for support.	R & F
347.	Supervisor to County Dept. of Environment and Planning ~ Suggestions regarding meetings concerning 1982 CD Program.	R&F
348.	Planning Board to Town Board - Minutes from meeting held 5/5/82.	R & F
349.	Supervisor to State Senate Finance Committee - Comments regarding sewer costs.	R & F
350.	Bowmansville Vol. Fire Assn., Inc. to Town Board - Recommendation of three members to active roster.	R & F
351.	Habiterra Associates to Town Clerk - Report on reroofing of three buildings as of 5/13/82.	RεF
	The Supervisor requested a suspension of the no didate consideration of the following communications ENSION GRANTED.	
352.	Alden Town Board to Supervisor - Excert from minutes of meeting held 4/19/82 authorizing agreement creating Northeast Communities Solid Waste Management Board.	R & F
353.	N.Y.S. Dept. of Agriculture and Markets to Supervisor - Transmittal of compliance report relative to enforcement of Article 7 of Agriculture and Markets Law.	R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:05 P.M. out of respect to:

MARGARET RUHLAND -

JOSEPH GILLEN /

LAVERNE STATLER

RICHARD MALECKI /

WILLIAM H. HENRY

BESSIE WEZKA V

ANDREW MORALES -

Signed Robert P. Thill Robert P. Thill, Town Clerk